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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,694	08/25/2003	Seiya Takeshita	TSUT9.001C1	2474

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EXAMINER

KRAMER, DEVON C

ART UNIT PAPER NUMBER

3683

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/647,694

Applicant(s)

TAKESHITA ET AL.

Examiner

Devon C Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/25/03
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

- 1) Claims 4-9 are objected to because of the following informalities:

Claim 4 line 4, "a rubber-like elastomer" should be --an elastomer--. Please note that this also occurs in claim 4 line 14 and claim 9 line 2. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

- 2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 3) Claims 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al (5190269) in view of Hein (5224790) and further in view of Wakabayashi et al (5915762).

In re claims 4 and 6: Ikeda et al provides a method for manufacturing a vibration-isolating bushing which comprises an inner cylinder (11) having a bulge portion (12) bulging out in a direction perpendicular to its axis in an axially central area, an outer cylinder (14) disposed outside of the inner cylinder in a spaced relation, and a rubber-like elastomer (13) interposed between the inner cylinder and the outer cylinder, wherein the inner cylinder is composed of a metal pipe (col. 4 line 43-45) and an

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annular cover constituting the bulge portion provided on an outer periphery of an axially central part of the metal pipe, said method comprising the steps of: providing a knurling (col. 4 lines 57-60, col. 6 lines 37-40) on the outer periphery of the axially central part of the metal pipe; securing the annular cover to the outer periphery of the metal pipe inclusive of the knurling by molding of a synthetic resin (col. 6 lines 35-42, col. 5 lines 58-60); and vulcanization molding the rubber-like elastomer at an outer periphery of the inner cylinder provided with the annular cover so as to enwrap the cover therein (col. 6 lines 42-49). Ikeda et al is silent to producing serrations on the metal pipe axial edge surface and is silent to quenching the metal pipe.

Hein teaches a metal pipe provided with serrations on an inner metal pipe (col. 3 lines 25-29).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the metal pipe of Ikeda et al with serrations on the outer portion as taught by Hein in order to create more surface area and a surface with a high coefficient of friction to attach the elastomer.

Ikeda et al as modified by Hein lacks the teaching of treating the metal pipe. Quenching or treating a metal supporting member is well known in the art.

Wakabayashi et al teaches cementation quenching a metal member (col. 4 lines 10-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have treated the metal pipe of Ikeda et al as modified by Hein by quenching

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as taught by Wakabayashi et al in order to give added strength and durability to the pipe.

In re claim 5: it would have been obvious to one of ordinary skill in the art to have made the serrations and the knurling on the metal pipe of Ikeda as modified by Hein and further modified by Wakabayashi et al simultaneously to save time. Please note that once the resin portion is attached to the metal pipe, it will no longer be able to be easily placed in a lathe or other machining tool and will not be easily machined, therefor the knurling and serrations on the metal pipe should be machined simultaneously.

In re claim 7: Ikeda et al provides the knurling formed in a lattice-like mesh pattern made of furrows having an angle of 60-120 made by adjacent slopes of each furrow. Please see figure 3.

In re claim 8: Ikeda et al lacks the annular cover formed in a barrel shape, but provides a shape which is similar.

Hein teaches an annular cover formed in a barrel shape (figures 1-2).

It would have been obvious to one of ordinary skill in the art to have produced the annular cover of Ikeda et al in a barrel shape as taught by Hein merely as a design choice and since it has been held that where the general shape of an object exists, it is the burden of the inventor to provide evidence that the particular configuration of the claimed container was significant. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966)

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In re claim 9, Ikeda et al teaches a through hole (15) in the vicinity of the outer cylinder.

***Conclusion***


4) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kuwayama teaches quenching a metal part in a damper.

5) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C Kramer whose telephone number is 703-305-0839. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DK

  
7/29/04